

Serial No. 10/073644

Attorney Docket No.: MXI-211

REMARKS

Applicants' Attorney thanks the Examiner for his time in discussing the status of the above-referenced application on December 6, 2004, during which the outstanding rejections of record were discussed, as reflected in the following remarks. In addition, Applicants agreed to make the following amendments.

Amendments to the claims

Claims 59-69, 71, 85, 88, 89, 91, and 97-99 are currently pending.

Claims 91, 97 and 98 have been canceled without prejudice.

The foregoing amendments should in no way be construed as acquiescence to any of the Examiner's rejections and were made solely to expedite prosecution. Applicants reserve the right to pursue the claims as originally filed in this or a separate application(s). No new matter has been added.

Sequence Listing

The revised sequence listing, submitted with Applicants' response dated October 27, 2004 provides SEQ ID NOs (SEQ ID NOs:9-17) for the germline sequences (V_H 3-30.3, V_K L18, V_K A27, D 6-13, JH4b, JK3, D 7-27, and JH3b) described in the specification (*e.g.*, at page 7, lines 10-16) and recited in pending claims 64-66. As discussed in Applicants' previous response, these sequences were well known in the art and publicly available, for example, in the VBASE gene database at the time the present application was filed. Further, Applicants submit the enclosed Declaration stating that the revised sequence listing does not include new matter which goes beyond the disclosure in the application as originally filed. Specifically, Applicants attest that the sequences represented by SEQ ID NOs:9-17 were not changed before or after the filing date of the present application and, therefore, are the same sequences now as when first made available to the public prior to the filing of this application. Accordingly, no new matter has been added.

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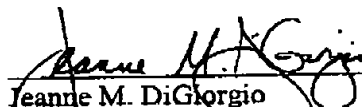
CONCLUSION

In view of the foregoing, allowance of the instant application with all pending claims is respectfully solicited. If a telephone conversation with Applicants' attorney would help expedite the prosecution of the above-identified application, the Examiner is urged to call Applicants' attorney at (617) 227-7400.

Applicants believe no fee is due. If necessary, Applicants request any extension of time needed to complete this filing. If a fee is due, please charge our Deposit Account No. 12-0080, under Order No. MXI-211, from which the undersigned is authorized to draw.

Respectfully submitted,

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Dated: December 10, 2004